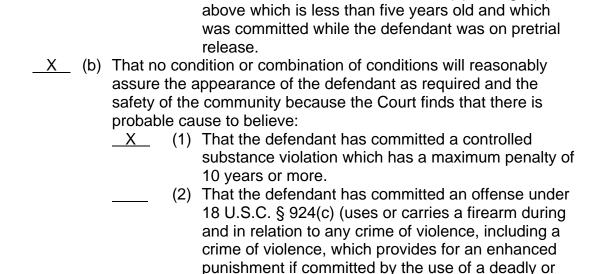
IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,) 0 Novel 0 4000000
Plaintiff,) Case Number 8:12CR232)
	vs.)) DETENTION ORDER)
ADRIAN MENDEZ,))
	Defendant.	,)
A.	Order For Detention After conducting a detention hearing put Reform Act, the Court orders the above- U.S.C. § 3142(e) and (I).	rsuant to 18 U.S.C. § 3142(f) of the Bail -named defendant detained pursuant to 18
B.	 Statement Of Reasons For The Detention The Court orders the defendant's detention because it finds: X By a preponderance of the evidence that no condition or combination of conditions will reasonably assure the appearance of the defendant as required. X By clear and convincing evidence that no condition or combination of conditions will reasonably assure the safety of any other person or the community. 	
C.	that which was contained in the Pretrial X (1) Nature and circumstances of X (a) The crime: (Count I) C Actual Methamphetan maximum penalty of 4 (b) The offense is a crime (c) The offense involves a	Conspiracy to Distribute 5 Grams of More nine is a serious crime and carries a 40 years imprisonment. e of violence.
	(a) General Factors: The defendar may affect wh The defendar The defendar The defendar	against the defendant is high. cs of the defendant including: Int appears to have a mental condition which mether the defendant will appear. Int has no family ties in the area. Int has no steady employment. Int has no substantial financial resources. Int is not a long time resident of the

DETENTION ORDER - Page 2 The defendant does not have any significant community Past conduct of the defendant: The defendant has a history relating to drug abuse. The defendant has a history relating to alcohol abuse. The defendant has a significant prior criminal record. The defendant has a prior record of failure to appear at court proceedings. (b) At the time of the current arrest, the defendant was on: Probation __X__ Parole Supervised Release Release pending trial, sentence, appeal or completion of (c) Other Factors: The defendant is an illegal alien and is subject to deportation. The defendant is a legal alien and will be subject to deportation if convicted. The Bureau of Immigration and Customs Enforcement (BICE) has placed a detainer with the U.S. Marshal. Other: _____ X (4) The nature and seriousness of the danger posed by the defendant's release are as follows: Prior drug conviction 2011. Two prior juvenile felony convictions. X (5) Rebuttable Presumptions In determining that the defendant should be detained, the Court also relied on the following rebuttable presumption(s) contained in 18 U.S.C. § 3142(e) which the Court finds the defendant has not rebutted: X (a) That no condition or combination of conditions will reasonably assure the appearance of the defendant as required and the safety of any other person and the community because the Court finds that the crime involves: (1) A crime of violence; or (2) An offense for which the maximum penalty is life imprisonment or death; or (3) A controlled substance violation which has a Χ maximum penalty of 10 years or more; or (4) A felony after the defendant had been convicted of two or more prior offenses described in (1) through

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(3) above, <u>and</u> the defendant has a prior conviction for one of the crimes mentioned in (1) through (3)

D. Additional Directives

Pursuant to 18 U.S.C. § 3142(i)(2)-(4), the Court directs that:

 The defendant be committed to the custody of the Attorney General for confinement in a corrections facility separate, to the extent practicable from persons awaiting or serving sentences or being held in custody pending appeal; and

dangerous weapon or device).

- 2. The defendant be afforded reasonable opportunity for private consultation with counsel; and
- 3. That, on order of a court of the United States, or on request of an attorney for the government, the person in charge of the corrections facility in which the defendant is confined deliver the defendant to a United States Marshal for the purpose of an appearance in connection with a court proceeding.

DATED this 27th day of July, 2012.

BY THE COURT:

s/ F. A. Gossett United States Magistrate Judge